

SO ORDERED: January 18, 2019.




Jeffrey J. Graham
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:)
)
SCOTTYS HOLDINGS, LLC,) CASE NO. 18-09243-JJG-11
) (Jointly Administered)
Debtor(s) ¹.)

**ORDER AUTHORIZING EMPLOYMENT OF COUNSEL
AND APPLICATION OF RETAINER
NUNC PRO TUNC TO PETITION DATE**

This matter comes before the Court on the *Debtors' Application to Employ Counsel and Authorize Application of Retainer Nunc Pro Tunc to Petition Date* [Doc. 83] (the "Application") filed by the debtors and debtors-in-possession (the

¹ The Debtors include Scotty's Holdings, LLC, Case No. 18-09243-JJG-11 (the "Lead Case"); A Pots & Pans Production, LLC, Case No. 18-09244-JJG-11; Scotty's Thr3e Wise Men Brewing Company, LLC, Case No. 18-09245-JJG-11; Scotty's Brewhouse, LLC, Case No. 18-09246-JJG-11; Scotty's Brewhouse Bloomington, LLC, Case No. 18-09248-JJG-11; Scotty's Brewhouse West Lafayette, LLC, Case No. 18-09250-JJG-11; Scotty's Indianapolis, LLC, Case No. 18-09251-JJG-11; Scotty's Brewhouse Downtown Indianapolis, LLC, Case No. 18-09252-JJG-11; Scotty's Brewhouse Mishawaka, LLC, Case No. 18-09253-JJG-11; Scotty's Brewhouse Fort Wayne, LLC, Case No. 18-09255-JJG-11; Scotty's Brewhouse Carmel, LLC, Case No. 18-09256-JJG-11; Scotty's Brewhouse Butler, LLC, Case No. 18-09257-JJG-11; and Scotty's Brewhouse Waco, LLC, Case No. 18-09258-JJG-11.

“Debtors”), by counsel, on December 26, 2018. In the Application, the Debtors proposes to retain the law firm Hester Baker Krebs LLC as their general counsel in the bankruptcy proceedings. The Court, having reviewed the Application, having taken notice that no objection was filed thereto, and being otherwise duly advised in the premises, now finds that the Application should be granted. Accordingly, it is

ORDERED that the Debtors are authorized to employ and appoint the law firm of Hester Baker Krebs LLC, under a general retainer, *nunc pro tunc* to the petition date, December 11, 2018; that Hester Baker Krebs LLC is authorized to bill against and draw upon the retainer on a monthly basis in accordance with the firm’s professionals’ and paraprofessionals’ hourly rates in effect at the time of the rendering of the particular service, pursuant to S.D. Ind. B-2014-1(b)(4) and subject to final approval of the Bankruptcy Court; and it is further

ORDERED that the Debtors are authorized to transfer \$30,000.00 of retainer to Hester Baker Krebs LLC from the Quarles & Brady LLP’s retainer account; and it is further

ORDERED that counsel for the Debtors shall file a Notice of Draw on Retainer (“Notice”) with the Bankruptcy Clerk and serve a copy of such Notice on the Service List as that term is defined in S.D. Ind. B-1000-1(b)(4). The Notice shall state the initial amount of retainer, the amount drawn against the pre-petition retainer and the amount remaining to be drawn against, subject to final approval of all fees by this court; counsel shall draw on the retainer no sooner than ten (10) days after the Notice if there are no objections; and it is further

ORDERED that counsel for the Debtors shall furnish to the United States Trustee a monthly statement of the services rendered to the Debtors; and it is further

ORDERED that absent further order of this court, counsel for the Debtors shall file an application for interim or final compensation, in accordance with 11 U.S.C. §330 and/or §331. Nothing contained herein shall preclude the United States Trustee or any party in interest from objecting to the compensation requested; and it is further

ORDERED that nothing in this Order shall alter or limit the Huntington National Bank N.A.'s right to object to and challenge Hester Baker Krebs LLC's fees and expenses; and it is further

ORDERED that the provisions of this Order shall become effective immediately.

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